

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

May 28, 2007

There were no minutes for this date.

May 29, 2007

C051338 THE PEOPLE v. ROBINSON (CERTIFIED FOR PUBLICATION)

The judgment is reversed. The case is remanded to the trial court with instructions to hold a retrospective competency hearing, to be calendared forthwith... In the event defendant is found to have been incompetent to stand trial, defendant shall receive a new trial.

MORRISON, J.

We Concur: Sims, Acting P.J.

Raye, J.

C051362 THE PEOPLE v. NEWELL (Not for Publication)

The judgment is affirmed.

MORRISON, J.

We Concur: Sims, Acting P.J.

Hull, J.

C051865 THE PEOPLE v. ABERCROMBIE (Certified for Partial Publication)

The judgment is affirmed. **(Certified for Partial Publication)**

BUTZ, J.

We Concur: Davis, Acting P.J.

Nicholson, J.

C051939 THE PEOPLE v. SCOTT (Not for Publication)

The judgment is affirmed.

DAVIS, J.

We Concur: Scotland, P.J.

Butz, J.

C052449 THE PEOPLE v. YANG (Not for Publication)

The eight-month consecutive term imposed for defendant's conviction for making criminal threats is hereby ordered stayed... The trial court is directed to prepare an amended abstract of judgment and to forward a certified copy of the amended abstract to the Department of Corrections and Rehabilitation. In all other respects, the judgment is affirmed.

DAVIS, J.

I concur: Blease, Acting P.J.

I concur except as to Part II, in which I concur in the result.

Butz, J.

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We Concur: Hull, J.
 Cantil-Sakauye, J.

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The Minutes

May 30, 2007, continued

- C052144 THE PEOPLE v. LIVINGOOD (Not for Publication)**
The judgment is affirmed.
DAVIS, J.
We Concur: Scotland, P.J.
Raye, J.
- C052912 THE PEOPLE v. RICHARDSON (Certified for Partial Publication)**
Defendant's convictions are affirmed. Defendant's sentence is vacated and the matter is remanded to the trial court for further proceedings in light of part VII of this opinion.
SIMS, Acting P.J.
We Concur: Morrison, J.
Robie, J.
- C052939 THE PEOPLE v. BARNES (Not for Publication)**
The judgment is affirmed.
HULL, J.
We Concur: Scotland, P.J.
Cantil-Sakauye, J.
- C053110 THE PEOPLE v. TAYLOR (Not for Publication)**
The judgment is affirmed.
DAVIS, J.
We Concur: Blease, Acting P.J.
Morrison, J.
- C053539 THE PEOPLE v. FLORES-CASTRO (Not for Publication)**
The judgment is modified... As modified, the judgment is affirmed. The trial court is directed to prepare an amended abstract of judgment reflecting this modification and to forward a copy of the amended abstract to the Department of Corrections and Rehabilitation.
RAYE, J.
We Concur: Scotland, P.J.
Nicholson, J.
- C050417 TROPPMANN et al. v. FLAHERTY, as Executor, etc.**
The judgment is reversed as to Troppmann and affirmed in all other respects. The court's order awarding attorney fees to both NBI and Troppmann is modified to award fees to NBI only. NBI is awarded its costs on appeal.
HULL, J.
We Concur: Nicholson, Acting P.J.
Cantil-Sakauye, J.

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The Minutes

May 30, 2007, continued

C051521 STEVENSON et al. v. CALIFORNIA SECURITY CONSULTANTS, INC.
(Not for Publication)

The judgment (order) is reversed, and the trial court is directed to enter an order certifying the class. Plaintiff is awarded his costs on appeal.

HULL, Acting P.J.

We Concur: Robie, J.

Cantil-Sakauye, J.

C051841 McADAMS v. MONIER, INC. (CERTIFIED FOR PUBLICATION)

The order denying class certification of the proposed CLRA and UCL classes is reversed. Plaintiff is awarded his costs on appeal. (CERTIFIED FOR PUBLICATION.)

DAVIS, J.

We Concur: Scotland, P.J.

Raye, J.

C050109 In re JUSTIN M.; THE PEOPLE v. JUSTIN M.

(Not for Publication)

The juvenile court's order of restitution in the amount of \$5,681.76 to Gary Brooks is vacated. The judgment court is directed to amend its records accordingly and to forward appropriate documents to the parties and the Juvenile Justice Division of Juvenile Facilities of the Department of Corrections and Rehabilitation. In all other respects, the judgment is affirmed.

BUTZ, J.

We Concur: Blease, Acting P.J.

Raye, J.

C053722 In re CHRISTOPHER T.; THE PEOPLE v. CHRISTOPHER T.

(Not for Publication)

The judgment... is modified such that the minor's maximum term of confinement is four years. The juvenile court is directed to amend the dispositional report to reflect that modification. In all other respects, the judgment is affirmed.

BUTZ, J.

We Concur: Morrison, Acting P.J.

Robie, J.

C053947 In re MARK T.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES v. SARA H. (Not for Publication)

The order of the juvenile court is affirmed.

HULL, J.

We Concur: Blease, Acting P.J.

Robie, J.

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The Minutes

May 31, 2007, continued

- C053119 THE PEOPLE v. FLOYD (Not for Publication)**
The appeal is dismissed.
CANTIL-SAKAUYE, J.
We Concur: Davis, Acting P.J.
Hull, J.
- C053876 THE PEOPLE v. KENNEDY (Not for Publication)**
The judgment is modified... As modified, the judgment is affirmed. The trial court is directed to issue an amended abstract of judgment and to forward a certified copy of the amended abstract to the Department of Corrections and Rehabilitation.
RAYE, J.
We Concur: Scotland, P.J.
Nicholson, J.
- C051921 LIVINGSTON, as Public Guardian, etc. v. BARRY S. (Not for Publication)**
The appeal is dismissed as moot. Barry S. could have avoided this result if he had not been dilatory in pursuing his appeal or if he has filed a petition for writ of relief rather than an appeal.
SCOTLAND, P.J.
We Concur: Robie, J.
Butz, J.
- C051984 SEVILLA et al. v. WILEY, etc. (Not for Publication)**
C052590
C053043
The judgment is reversed. Plaintiffs shall recover their costs on appeal...
MORRISON, J.
We Concur: Scotland, P.J.
Sims, J.
- C052700 SCILACCI et al. v. PLACER COUNTY BOARD OF SUPERVISORS and LAKEVIEW FARMS, INC. (Not for Publication)**
The judgment is affirmed.
MORRISON, J.
We Concur: Blease, Acting P.J.
Nicholson, J.

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The Minutes

May 31, 2007, continued

C050201 In re KORREY M.; THE PEOPLE v. KORREY M.

(Not for Publication)

The judgment is modified... The clerk of the juvenile court shall prepare a revised minute order including the applicable probation conditions and forward a certified copy to the San Joaquin County Probation Officer. As so modified, the judgment is affirmed.

MORRISON, J.

We Concur: Sims, Acting P.J.

Hull, J.

**C051910 In re A.M.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND
HUMAN SERVICES v. K.M.**

(Not for Publication)

The orders and judgment are affirmed.

BUTZ, J.

We Concur: Blease, Acting P.J.

Davis, J.

C053198 In re ALONIQUE C.; THE PEOPLE v. ALONIQUE C.

(Not for Publication)

The judgment is affirmed.

BLEASE, Acting P.J.

We Concur: Davis, J.

Butz, J.

**C054176 In re T.A. et al.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND
HUMAN SERVICES v. ANDREA A.**

(Not for Publication)

The order of the juvenile court is affirmed.

ROBIE, J.

We Concur: Blease, Acting P.J.

Hull, J.

C051860 THE PEOPLE v. ORTIZ, JR.

(Not for Publication)

THE COURT:

It is ordered that the opinion filed in this case on May 2, 2007, be modified...

... This constitutes a change in the judgment. The petition for rehearing is denied.

FOR THE COURT:

SCOTLAND, P.J.

HULL, J.

BUTZ, J.

**COURT OF APPEAL
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The Minutes

June 1, 2007

MISC. ORDER 2007-010

BY THE COURT:

Associate Justice Rick Sims is appointed to serve as Acting Presiding Justice to discharge the duties described in the California Rules of Court, rules 10.1004, 10.1012, and 10.1016, during the absence of the Presiding Justice from the court on June 4, 2007, through June 20, 2007, or until his return. (See Cal. Const., art. VI, §3.) The senior member of a panel of the court is designated the Acting Presiding Justice of that panel during the absence of the Presiding Justice.
SCOTLAND, P.J.

C051802

THE PEOPLE v. KNOX

(Not for Publication)

The judgment is modified... The trial court is directed to forward a copy of the amended abstract of judgment to the Department of Corrections and Rehabilitation.

CANTIL-SAKAUYE, J.

We Concur: Davis, Acting P.J.
Hull, J.

**C053066
C053344**

COLE v. MARSHALL MEDICAL CENTER

COLE v. PATHAK

(Not for Publication)

The judgment is affirmed. Defendants are awarded costs of appeal.

DAVIS, Acting P.J.

We Concur: Raye, J.
Hull, J.